

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CORPORAL TRINIDAD NAVARRO,

Plaintiff, : C.A. No. 05-565 GMS

v. : JURY TRIAL DEMANDED

CHRISTOPHER A. COONS,

individually and in his official capacity;

GUY H. SAPP, individually and in his

official capacity; and NEW CASTLE

COUNTY, a municipal corporation,

Defendants. :

JOINT PROPOSED PROTECTIVE ORDER

Pursuant to Federal Rules of Civil Procedure 26(c) and 37(b), the parties hereby agree and stipulate that this Joint Proposed Protective Order (“Protective Order”) will control the use and dissemination of certain Confidential Information. This Protective Order consists of the following terms:

1. Any Confidential Information disclosed pursuant to this agreement shall be available only to this Court, counsel of record and the members and employees of their firms. At the conclusion of the litigation, the parties shall promptly destroy or return all Confidential Information provided pursuant to the terms of this Protective Order.

2. The only permitted use of any Confidential Information disclosed pursuant to this Protective Order will be for the litigation of this matter, specifically discovery, trial preparation, and trial. Counsel shall address the use and disclosure of all Confidential Information produced or disclosed pursuant to this Protective Order at trial in the Pretrial Order.

3. Confidential Information disclosed pursuant to this agreement shall consist of any information for which there is a legitimate privacy interest or which would be otherwise privileged as set forth by 11 Del. C. § 9200, et. seq. Said information includes, but is not limited

to, any file or contents of any file generated by the New Castle County Human Resources Department, Executive Office, or the Office of Professional Standards of the New Castle County Police Department.

4. All Confidential Information disclosed under this Protective Order shall be stamped with the legend "Confidential Information" and shall note the applicability of this Protective Order at the time of disclosure. Inadvertent failure to designate materials as Confidential Information at the time of disclosure may be remedied by supplemental written notice. If such notice is given, all Confidential Information so designated shall be fully subject to this Protective Order from the date such notice is received as if they had been initially designated as Confidential Information.

5. Any papers containing Confidential Information subject to this Protective Order which a party chooses to file with the Court shall be filed under seal with a legend that identifies this Protective Order.

6. Should any inadvertent or unauthorized disclosure occur, counsel hereby agree to immediately take any and all necessary steps to remedy such unauthorized disclosures. Counsel shall notify opposing counsel of the inadvertent or unauthorized disclosure along with the steps taken to remedy same.

7. Any individual who shall be provided Confidential Information subject to this Protective Order shall be informed of the applicability of the Order and be bound by the same confidentiality restrictions contained therein.

Being duly sworn according to law, the parties hereby stipulate, depose, and state that the information contained herein is true, correct and constitutes the full and total agreement of the parties in the above-captioned matter.

Dated: April 5, 2006

/s/ Jeffrey K. Martin

Jeffrey K. Martin, Esquire (I.D. No. 2407)

Margolis Edelstein

1509 Gilpin Avenue

Wilmington, DE 19806

(302) 777-4680

Attorney for Plaintiff Trinidad Navarro

/s/ Michele D. Allen

Michele D. Allen, Esquire (I.D. No. 4359)

Judith A. Hildick, Esquire (I.D. No. 3244)

Megan K. Sanfrancesco, Esquire (I.D. No. 3801)

New Castle County Law Department

87 Reads Way

New Castle County, Delaware 19720

(302) 395-5130

Attorneys for Defendant New Castle County

/s/ Jeffrey S. Goddess

Jeffrey S. Goddess, Esquire (I.D. No. 630)

Rosenthal, Monhait, Gross & Goddess

919 Market Street, Suite 1401

P.O. Box 1070

Wilmington, DE 19899-1070

(302) 656-4433

Attorney for Defendants Christopher A. Coons and Guy H. Sapp

IT IS SO ORDERED this _____ day of _____, 2006.

THE HONORABLE GREGORY M. SLEET

**IN THE UNITED STATES DISTRICT COURT
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	:	
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v.	:	JURY TRIAL DEMANDED
	:	
CHRISTOPHER A. COONS,	:	
individually and in his official capacity;	:	
GUY H. SAPP, individually and in his	:	
official capacity; and NEW CASTLE	:	
COUNTY, a municipal corporation,	:	
	:	
Defendants.	:	

CERTIFICATE OF SERVICE

I, Michele D. Allen, Assistant County Attorney hereby certify that on April 5, 2006, I electronically filed the foregoing Joint Proposed Protective Order with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

Jeffrey K. Martin, Esquire
Margolis Edelstein
1509 Gilpin Avenue
Wilmington, DE 19806

Jeffrey S. Goddess, Esquire
Rosenthal, Monhait, Gross & Goddess
919 Market Street, Suite 1401
P.O. Box 1070
Wilmington, DE 19899-1070

/s/ Michele D. Allen
MICHELE D. ALLEN,
Assistant County Attorney
(Delaware Bar No. 4359)
New Castle County Law Department
87 Reads Way
New Castle, DE 19720
Telephone: (302)395-5130